

A TRUE
VINDICATION
Of the Reverend
Dr. Sherlock :

BEING
A REPLY to the pretended Answers of
His late Book, Intituled,

The Case of Allegiance due to Sovereign Powers, Stated and Resolved, &c.

LONDON

Printed, and are to be Sold by *Randal Taylor*,
near *Stationers-Hall* in *Amen-Corner*, 1690.

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A T A B L E
VINDICATION

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Dr. Sherlock :

to the preceding answers to
His late Book Intituled,

The Case of Magistrate due to Sovereign Powers, Stated and Resolved, &c.

L O N D O N

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A

VINDICATION

O F

Doctor *Sherlock's* Case of Allegiance, &c.

TH E Reason of this present Undertaking, is far from being, because I think the *Learned and Reverend Doctor* is not easily able to deal with all those *feeble Enemies*, which yet have appeared against him, since the World is sufficiently satisfied he uses not to *Write* what he can't *Defend*: Nor is it, much less, out of any mean assentation or design to flatter a Person, who so little loves to be so treated; since I had never the *Honour* to be known by him, nor probably ever shall. But the very and only Reason of my engaging in this Quarrel, is, a just *Indignation* to see him every Day surrounded, I can't say oppressed, with the inglorious Numbers of his pretended Answerers; who, one would think, were resolved to make up that in *Adulterate*, which they want both in their Cause and Argument. In this Case I think 'tis as lawful and fair for a *By-stander* to interest himself in the Quarrel, as 'twould be, supposing a Gentleman set upon by the *Rabble*, though he defended himself never so bravely, and kept 'em off at Swords Point, for one who is coming by to clap in to his Assistance, if 'twere but to have the kicking of some of the hindmost, before they run quite away.

And the first of his Answerers which I find upon the *File*, (for there is no other way of methodizing or numbring 'em) and one whose *Ble* was the *swiftest* shot of all the rest, is he who calls himself the *London Apprentice*, though 'twould make one vehemently suspect, however his Modesty would disguise the Truth, that he's rather a *Master* than a *Prentice*, at least a *Journeyman*, so magisterially and contemptuously does he handle his grovelling *Adversary*, whom he has no more Mercy upon, than he has upon his *Readers Patience*, or *true English*; however, since he is ambitious of the *Title*, and because there are some Ends of *Phrases* that smell of the *Shop-board*, we will for once, to please him, suppose 'twas really writ behind the *Counter*;

ter, or at least stolen from the *Cusumers* after Shop was shut in. The Doctor must e'en be content to be foil'd by one whose *Predecessors* have conquered *Lions*, and he shall still remain that glorious Thing, *A London-Prenice*.

But whether he be so or not, one thing is certain, That the first *Attack* made on the Doctor's Book, was by an *Enemy* to the *Government*, those Arguments he makes use of in more places than one, bearing directly against all others, who have taken the *Oaths* as well as the Doctor; as shall be made appear in its proper place, and the Consequence he himself is challenged to deny.

With the *Book* it self he has the Wit not to meddle; the *Preface* is all he plays with, in whose own Preface to the *Answer* to it, there's nothing remarkable, but a dull piece of *Nonsense*, which he mistook for a *Jest*, of the Doctor's being for these late Years very much over-seen, and seen over.

The manner in which he handles the *Preface* to the Doctor's Book (than which all his *Enemies*, except such as this who are no capable *Judges*, must own there can hardly be found a piece of *Newer Wit*, more handfom Thoughts, or clearer Judgment) is picking out here and there a few Lines, and making a sort of a *Burlesque Paraphrase* upon 'em (as some *Athiests* have done on the most Sacred of Books) then setting up this *Scare-crow* of his own making, on purpose to hurl Sticks and Stones at it, and beat it down again with as many Triumphs as ever accompanied his Successes on *Shrovetide*, or his Victory over an Icy Castle after a great Snow.

Not to follow the Nimble *Gentleman* step by step, we shall only think it worth the while to observe in him what looks like *Reason*, and what's apparent *Contradiction* and *Nonsense*. I'd not be mistaken nor intend to *Transcribe* the whole Work for one of these (though I shall be troubled but with few Lines of the other) I mean only what appears more gross and full, and some of the *Master-strokes* of the Author.

The first thing relating to the Doctor, which this Spark takes notice of, is, his *Wife*; whom, to shew his Judgment, he mentions some half a dozen times or oftner in this one Sheet. I'll only say for altogether (though I suppose he expected no *Answer* to what had no *Proof*) that had not the Doctor produced sound and manly Arguments for his Compliance with the present Government; yet none who see him, would suspect that to have any great influence upon him, which he so often insinuates; for he appears perhaps as far from being over-*anxious* as another.

However, on this Head 'tis worth observing how sharply the young Man

Man argues. He brings in the Doctor in this manner, "*My Wife and Friends have importuned me to publish my Reasons for Non- and Con- forming to the Oaths; (a witty Timesis that, only it spoils the Sense; but who would value Sense for a lucky Hit or good Thought.)* He supposes the Wife was the cause of publishing Reasons both for Con- forming and Nonconforming, whereas for the latter he never published any Reasons at all.

He goes on, and affirms in his Paraphrase, *That the Doctor's compliance was against his Conscience, in hopes of a Mitre.* The first none but God can prove, the second does not appear by his refusing the Oaths so long; that, instead of gaining a Mitre, he lost all that he before enjoyed.

In the next Page, and first Column, the Lad ventures at some-thing like a Dilemma (though the truth is, the curst Creature has short Horns) "*If the Oaths were lawful, says he, why did ye not take them before? You had time to consider it; you had Learning, and needed no Counsellor. If they were not lawful, why did you take them now? Preaching formerly against what you now do, and asking now against what you did formerly preach?*"

This is indeed the real substance of the most popular prejudice in the mouths of all those that rail at the Doctor, without being able to feel his Arguments. But were there any thing in it, this would unavoidably bind up all the World right or wrong in the very same Condition wherein they were born, *Turks, Jews, Mahometans, Infidels and Hereticks*; at least, if Persons of *Parts and Learning*: But the Doctor has in his Preface answered this himself beyond answer. The Resolution, in short is this, He did not take the Oaths formerly because he then thought it *unlawful*; he does take them now, and defends his so doing, because he thinks it *lawful*; and I'd fain know where's then the *Dishonesty*?

In his Answer to the next Paragraph, the Snake peeps out of the Grass, and the cloven Foot appears; I mean, the Prentice shews himself clearly against the Government; though afterwards, for his own safety, and for fashion sake, he perhaps contradicts it. Let any one consider his Arguments, and judge if he is wronged, and whether they bear not as directly against others who have taken the Oaths, as the Doctor. "*Suppose, says he, a Servant in your House should swear to his Master not to reveal a secret; suppose the Master goes for France, and left his Son in Possession, and this Servant with him, whom the Son threatens to turn out of Doors if he won't reveal this Secret; which he long refuses, knowing if he does it, he is Perjured; yet at last reveals it, and takes another Oath, contrary to the former,*"

"Son.

" Son. *How could such a Servant at his return look in his Master's Face ?*
 " *and would he not be branded with the odious Epithets of Perjurer ?*

The plain English of all his *Supposes*, both in this and the following Instances of the same Nature, amounts to no other than this ; An *Oath* is taken to *King James*, he is gone into *France*, his *Son* is in Possession of his *Estate* ; those who take *Oaths* contrary to the former, are, according to him, *Perjured*, and deserve the odious Name of *Perjurers*. The Case is plain, and his Intention is by this Objection sufficiently visible ; more of which we may chance to find hereafter. For his Argument he may see it answered almost a Thousand times over, in *Books on that Subject* ; and 'tis the Design of the *Doctor's*, after all therest, to clear the same *Cavil* : And if he has a *pair of Consciences*, as is added below, so have all the rest who have taken the same *Oath* ; but of this already ; and from hence forward, let him repeat the same things if he please a Hundred times following, since he must be contented to be but once answered.

In the second Column of the fifth Page, he pretends to find a Contradiction in the *Doctor's Words* and his *Practise*. " *I declared my Opinion*, says he, *when asked, but I never sought out Men to make*
 " *Profesytes*. To this he says he could not declare his Opinion, without making *Profesytes* ; which is both false and impertinent. 'Tis false, for if the *Profesytes* were made before, and only asked the *Doctor's* Opinion to confirm them, he might declare it without making them so. 'Tis as impertinent, for the *Doctor* only affirms he never sought out Men for the aforesaid purpose ; and one need desire to have the *Prentice* at no fairer a Lock, than to prove he makes other Persons seeking to the *Doctor*, and the *Doctor's* jacking them one and the same matter.

In his sixth Paragraph, *He* *cavils* *understand* how the *Doctor* should be concerned at some of his Friends for taking the *Oath*, and yet at the same time believe they were honest Men, and acted honestly : Nor can any one, that I know of, help his want of Understanding. In doubtful Cases, Charity obliges me to believe that those whom we have no Reason to think otherwise than honest Men, have acted out of honest Principles, though they take that part of the *Question* which my Conscience is not satisfied in. Nor do Men of the *Doctor's* Learning and Judgment, use to determine their Actions by Authority or Example, but what appears to them to be the strongest Reason.

Page Six, at the beginning of the first Column, whereas the *Doctor* says in his Defence, *That he had all along lived peaceably, and prayed for their Majesties*. 'Tis here answered, *That this was no more than he ought to do, and that he durst do no otherwise*. That 'twas
 not

not for *Fear* he did so much, is plain, because he did no more. And one who *dared* refuse the Oaths, before he was satisfied of their Legality, *durst* certainly have omitted *Praying* as well as *Swearing*, had not his *Conscience* been clear in the one, when it stuck at the other.

For his doing no more than he ought to do, that's a very harmless Accusation; he ought to have proved he *did not* so much, but if he has done his *Duty*, I suppose the Doctor does not pretend to *Supererogation*.

Paragraph seven, He interprets the Doctor's solemn *Protestation*, That 'twas out of no *fondness* to King James, nor desire of his Return, which none who loved their Religion and Country could wish for; nor out of *Aversion* to the present Government, but out of Conscience, *against* his Inclination and Interest, that he so long refused the Oaths. This, I say, he interprets according to his *Justice* and Reason; That he did not swear all that while, because he had hopes of King James his Return.

Paragraph Eighth, he makes a confused Clamour about the Doctor's publishing his Reasons for his taking the Oath, and steals that very Argument which he urges for his so doing, viz. To satisfy others who have not yet taken them. Which Reason he would have the Doctor Answer in Print, and so refute what he himself has just advanced, which would be *Sherlock* against *Sherlock* in good earnest.

Page seven, Column one, He says, Such proceedings as the Doctor's are enough to make *Atheists*; just as much as his Arguments before made *Professors*, of such as were so already. But that foolish Sect, the Truth is, make nothing of deducing the same Conclusions from Promises directly contrary to one another. "The Clergy unanimously take the Oaths to a new King and Queen as soon as required, without respect to their former Oaths; therefore they are all a pack of Villains and *Atheists*, and we'll be so too. The Clergy some of 'em are a long while considering before they take these Oaths, and at last do it; and therefore these too are *Atheists*, and we'll continue such for Company. But the Cross it self gave offence, and if even our Saviour was a *Stumbling-block*, 'tis no strange thing if his Ministers be sometimes the same.

At the end of this 10th. Parag. he says, Had the Doctor taken the Oaths at first, all had been well; and yet in the beginning of the Book, brands all those who take 'em, with the odious Name of *Perjurers*, though no further off than this next Paragraph, he says, *He owns* it may be done without *Perjury*.

Supposing, as he insinuates Paragraph 12. the Doctor had delayed his taking the Oaths till he saw King James beaten, and totally routed. This would not be found contrary to his Hypothesis, which I cannot

see.

see yet disproved. Then, without scruple, the Government was strongly settled; and this, with other concurring Circumstances, afterwards mentioned, might have a just Influence on his Conscience and Actions. Though, had it only been the bare want of Success in that Unfortunate Prince, which had here concluded the Doctor, no Reason can be shewn why he should not as well have complied as soon as ever he had heard of his being beaten and leaving Ireland, whereas he did not, till he met with further and more satisfactory Arguments for his so doing; and what some of those were, will appear in the discussion of what his Answerer has laid together in the first Column of his eighth, and last Page.

The Doctor, says he, had some of these Thoughts long since, which he then drew up, and shew'd to some of his Friends. The Prentice is very angry with him for not having then published 'em to satisfy the World, when yet he himself says, He was not himself then satisfied; and how he came to be so now, ingeniously tells us; namely, by Bishop Overal's famous Convocation-Book, which both confirm'd his old Notions, and suggest'd new ones, and gave him greater Liberty of thinking, which was before cramped with the apprehensions of Novelty and Singularity: a more ingenuous acknowledgment than most of Mankind will make, though we are all extremely bias'd in our Judgment by those mentioned Prejudices, which even the greatest Genius is seldom strong or happy enough to shake off.

We have now done with every thing that's worth answering in the Prentice's Paper, and perhaps may be blamed for spending so much time on so trifling a Business. We have done with him too, after we have given him a little kind Advice, which he very much needs: To keep at Home, mind his Masters Shop, clean his Shoes, and attend his Customers; but henceforward not to meddle with Work which he was never cut out for, nor that for him, since it appears by the Success he has now met with; that he were much better let things of this Nature alone, and never more endanger the cracking his Brain with answering of Doctors.

An

An Answer to *Modest Remarks*, &c.

NO sooner were the Streets at quiet from the Apprentice's Letter, but out came both *Remarks*, and these *Modest Remarks* on the Doctor's Book; the first we shall consider anon; the latter in this place, composed by one of as different a Kidney from the first Answerer, as some parts of his Pamphlet are from the rest, or all of it from *answering its Name*. And indeed, whoever throws but a glance out, will find 'tis like an old *Parish-Church Window*, ne'er a piece of it a kin to the next; so that without being informed, it would be easy to guess at the very Truth; that the Author had heap'd together such Stuff as the Bookseller was ashamed to Print, and therefore having thrown one half on't quite away, either himself, or some one for him, added as much new Matter in the room on't: The Reason, I suppose, or at least only Excuse for the Nonsense, false English, and Incoherences so visible from one end on't to the other. However, such as 'tis, whatever new Master he advances, shall be answered, and for the rest, it shall be referred to those places where it has been already taken care of.

The first thing observable in his *Remarks*, is, p. 2. that "the Doctor raises new Scruples, and proceeds upon such Principles which are not before advanced to his Knowledge in any Pamphlet writ upon that Subject." And very fit indeed he is to engage in such a Controversy, who at this rate, by his own Confession, must hardly have read any thing that has been public on that occasion; for scarce any Author who has taken the Cause in hand, but goes upon both *Heads*, and considers their Majesties both as *De facto*, and *De jure*. The first of which notions, as being far wider than the other, the Doctor here insists upon with that advantage to the Cause, and clearness of Expression, and Strength of Judgment which always attend what he writes. And indeed 'tis very odd that the Doctor should have all these clamours against him on account of this *Point*, more than those who espoused and defended it before him, merely because he has managed it better, and carried it further than any other. 'Twould be endless to instance in all. Amongst the rest, the ingenious and learned Author of the *Publication of oaths* who have taken the new Oath of Allegiance, proves what is visibly *manifest* to the Doctor's present Argument, both from *Law*, *Scripture* and *Reason*. In *Law*, from the famous *verb of Hen. the 3rd*, which he says plainly shows that the *Law* is still

on the King's side who is King in Possession, and for the time being. He proves the same from the Reason of all Law, which is the public Good; and from the Scriptures both of Old and New Testament, that the Jews still obey'd the Possessor. And this I have insisted on more especially, because 'twill be of great use, and go very far in the merits of the Cause, though there will be some occasion to mention it again hereafter.

The Remark now takes the Preface to task; and we'll see what he can make of the *Apprentice's Leavings*.

He says at the bottom of this Page, that had his Opinion been ask'd, he would have advised silence in the case, and permitted Men to have guess'd at his Reasons rather than reviv'd so ill-timed a Dispute.

Indeed it must be acknowledged a great oversight, that the Doctor did not ask his Advice in this matter, since a Man of his profound Sense cou'd scarce have fail'd giving him entire Satisfaction, tho' the learned Prelates he talks of, could not do it. But the mischief is, some People are not always sober enough to give Advice; and had this great Casuist been otherwise than well when the Doctor had sent to him, he must ev'n have lost his Labour.

But however, the Doctor endeavours to satisfy him, and has given him a Reason why he published his Reasons, and left not Men to guess at 'em, viz. That what satisfied him, might probably convince others; and there being some very great and worthy Persons (though thanks be to God their number is not considerable) who are not yet convinced, that shews the Dispute was not ill-timed, any more than 'tis ill-managed.

What he objects of Submission to Oliver as in Possession, at the latter end of the third Page, shall be anon answered in its proper place, tho' of all the World this Author was one of the unfittest Men to have made such an Objection, page 4. He is so kind to throw away a great deal of good pains in proving to the Doctor that his former Oath to King James does not hinder him from taking the new one to their present Majesties; which, one would have thought, he should have been pretty well satisfied in already, when he has both actually taken it, and shews his Reasons for so doing.

At the bottom of this Page he tells us, that two worthy Prelates did endeavour very early to give the Doctor satisfaction in his Scruples. We may grant this and more; for the Doctor tells us, he also endeavoured to satisfy himself: But I see no reason why a Man must be just satisfied at such a Minute, or else not be thought honest

honest or conscientious ever after. And for his not giving 'also the *Reasons of his Dissatisfaction*, at least not *formally* (for they may be found in the *Answers* he here gives 'em) he gives a sufficient account in the *Preface*, nor was his Intention in this Book to serve the *Enemies* of the Government, but its *Friends*, or those who are willing to be so.

He says, page 6. He's *unwilling to believe that the Doctor intended this Book as an advantage to the Enemies of the Government*; that is indeed (as appears from other places of his Pamphlet) he *does believe so*, or at least pretends it. But how it can be an advantage to 'em to *press Obedience* with the firmest Arguments, and from the *Authority* both of Earth and Heaven, I can't imagine.

He goes on towards the end of this same sixth page, and says, *It can't be otherwise but that Religion is self should be reproacht, as long as our Guides are of so many Opinions, some for one Government, some for another, &c.* Now there being but too many Persons of his Mind, this Head will deserve to be a little longer insisted on than others, and that on account of the *common cause of Christianity* it self, as well as the present dispute in hand. To clear which, these following things may deserve our Observation.

1. That *Religion and Civil Government are two vastly different things*. One of 'em is constant to it self, and for the main and essential parts of it, still the same in all Places and Ages. But *Governments* are almost sufficiently diversified, and depend upon the Rights, and Customs, and Laws of *particular Countries*, not to be understood without much time, and sedulous application, with suitable advantages. In one of these, a Person, whose immediate Study it is not, may be easily mistaken, and that much more pardonably, because the mistake is of less consequence than in the other.

2. A second thing worthy remarking, is, That the *Truth of Religion* in general, and the *Christian* in particular, is far from depending upon the *Authority* of any *particular Man or Men*, be they of never so much Fame, Sense, or Piety, nor therefore can it stand or fall with 'em. It depends indeed on the *Veracity* of that *God* who revealed and confirmed it by many signal Miracles, thereby letting us see there is an *Invisible Power above Nature*, or the *general course of Causes and Effects* here below. And all this, one would think there should be no need of proving to a Protestant who holds no *Infallibility*.

But the truth is, there is such a *lazy Principle* in the Minds of most Men, that they had rather depend upon others for the direction of their *Judgment*, than undergo the *Fatigue of thinking* themselves, and prosecuting the long entangled Chain of *Effects and Causes*,

jes, as they must do if they'd of themselves arrive to *Satisfaction* in any point of difficulty.

This general *Inclination* (which the Church of *Rome* observing, as well as several others, cunningly fix'd a *Centre* for it in their own *Infallibility*, whereto any one might recurr, when press'd hard, as a sure excuse for *Ignorance*, or *Laziness*) is more or less in the most of Mankind, let 'em pretend never so much against the Principles and Practices of the Church of *Rome*. And the more ignorant they are, still the more positive in depending on the *Judgments* of others, and the harder is it to fasten any good Argument upon 'em : Accordingly, when they find those whom they made their *Oracles*, though for good and found Reasons, alter their *Opinions*, they won't be at the trouble to follow 'em in the same *Method*, but finding the weak foundation of all their own *Faith* and *Practice* tumble, immediately the Superstructure too is gone, they break out into weak *Passion*, and foolish *Rage*; run from, perhaps, *bad Principles* to none at all, and cry out, there's no such thing as *Truth*, *Faith*, or *Religion* in the *World*.

Whereas 'tis evident on the contrary, could these short-sighted People but look beyond the present time or place, that neither supposing the Authority of these grand Truths mentioned, depending upon *Men*, must they fail because some few who taught them alter their Principles; we'd suppose even of common *Christianity*, since there are sure other Places, and have been other *Ages* of the *World* wherein they have been taught : Nor, supposing for once what neither has, nor can be, That all *Men* in the *World* should for the future renounce their Principles, would it therefore follow they were false, because they depend not upon the Testimony of changeable *Man*, but upon the Authority of that God, whose Word is immutable as he himself is ?

From this long, though I do hope not unprofitable, and am sure not unnecessary Digression, and the *Suppositions* therein contained, any one may, if they please, be so ingenious as to conclude, I affirm the Doctor has left the common Principles of *Christianity*, and then they'll do me the honour to deal with me just as they do with him, when they pretend he denies the present Government to be *Rightful* and *Legal*, only because he supposes it may be otherwise.

I would willingly hope the Remarker has only committed a very great Blunder in page 7, and not been guilty of a willful *Falsification*, though it looks very ill to join things so far distant, and of such different Natures. The Doctor says he, tells us, That many that have not taken the Oaths, are great and excellent Persons, and pray for that Restoration. Which, what can he mean by, but that the Doctor says, They Pray for the Restoration of King James ? whereas his Words are,
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Those great and excellent Persons he himself pray; that God would restore again to the Ministry of the Church. For what comes after, of those who yet stand out, my business is not to vindicate those who do not take the Oaths, but the Doctor who has done it.

The Doctor does not condemn those Worthy Clergy, who have taken the Oaths upon other Principles than these. Nor does he yet tell the World, that he himself took them upon no other; only affirms, that this is a sure ground to take them, and not only affirms but proves it.

At the End of this Eighth Page, he falls upon the Doctor concerning the famous Convocation-Book, and asks if he might not have seen it before in Manuscript. Perhaps not, for *Bernardus non vidit omnia*; and he that sees most (in this World) does not see all things. But suppose he had casually seen it, who would have expected any such Doctrines in a Book published by that Authority which did it? And besides all this, a * Publick Writer has satisfied the World, that a particular Gentleman of the Temple discoursed of those Points to the Doctor, out of this same Book, which it seems he had not before observed.

* The New
Observer.

The preaching up Prerogative and unlimited Passive Obedience, so much as it has been of late years, the Doctor ingeniously owns, has been a prevailing Mistake; but yet adds, That 'twas imposed by such great Authority, that 'twas pardonable. This his Answerer, pag. 9. positively denies; so that it is, it seems, the Unpardonable Sin, neither to be forgiven in this world, nor the other. He adds, If false, and these Maintainers of 'em knew 'twas only to serve a Turn, they were very insincere and dishonest, and therefore not so easily to be pardoned. All this is readily granted; but he must first prove those two or three *If's*, which he so easily passes over, before he can make any thing of his Reflection.

At his taking leave of the Preface, he has fallen upon something, which looks a little like an Argument. The Doctor, he says, "reads sons upon the Suppositions of unjust Usurpation and illegal Revolutions of State, which yet (according to his Notion of Possession and Rights) is an absurdity; for none can be unjust that has possession, and is vested with God's Authority. But this the Doctor has long since taken care of, affirming, There is no such thing as Injustice in respect to God, who disposes of all things in the World by his Sovereign Power as he pleases. The Manner of their obtaining this Authority may indeed be unjust, that is, illegal, as he instances in the four Monarchies, and might perhaps have done as much by most of the present Kings in the World; but after they are settled in it, they are the

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the *Ministers of God*, have a true *Right*, and must be obeyed.

He says, pag. 10. That he is *against raising more Objections than he has Answers ready for*. Nor does the Doctor, for he solidly *answers* whatever he *objects*, and lays the Objection, as fair as 'tis possible, for those who most believe 'em. He leaves the *Preface* at last, and falls upon the *Book*, wherein he confesses, That the *Case* is *plainly and briefly stated*, and that which has confounded the Question observed by the Doctor; namely, *Mens intermixing the Disputes of Right with the Duty of Obedience*. He complains the Doctor does not tell us, whether he has taken the Oaths to their Majesties as King and Queen *de facto*, or no. Had he acknowledged this, 'tis perhaps as much as the *Law requires*, and 'tis that for which a particular Law was made by the Wisdom of our Ancestors (therefore no novel Distinction) that which is defended by the best *Casuits*, insisted on by almost all who have writ upon the *Subject* in question, and in which sence many of the *Nobility*, Clergy and Gentry of *England* have already taken it, and which has tended as much to the *quieting* of the Nation, as perhaps any other thing of that Nature. But however, the Doctor does not yet affirm, That he *has taken the Oaths in that sence*; nor does he ever declare he has not taken 'em in the other, nor can it, I believe, be deduced by fair Consequences from any passage of his Book.

The Hypothesis which the Doctor lays down, and proves throughout his Book, is sufficiently known, "*That Allegiance is due, not for the sake of Legal Right, but Government; not to bare Legal Right, but to the Authority of God, who sets up Kings without regard to Legal Right, and they being then invested with God's Authority must be obeyed; and from hence, that Subjects are bound to obey and to swear Allegiance to those Princes, whatever Disputes there may be about their Legal Right, and that our old Allegiance is at an end*. And this he evinces with that force of Argument which is inseparable from his Writings, from Scripture, Reason, and the Principles of the Church of *England*.

His Answerer cavils with him for beginning with the *last*, and for laying down that as the Doctrine of the Church of *England*, which is only a bare *Narration of matter of Fact* as to what passed in a *Convocation*. For the first; any one is at Liberty to order his own Arguments as he pleases, and if he thinks fit, place the *weakest* in the *Front*, without preferring 'em before the rest, any more than the *forlorn Hope* in an Army is for that reason more honourable than the *Guard du Corps* that are ever about the General. But there was besides a double Reason for giving so venerable an Authority

the

the first place, both because 'twas *Argumentum ad hominem*, and would pierce deep into the Squadrons of those whose chief Argument against *Submission to the present rightful Powers*, is, Because they think 'tis contrary to the *Doctrine of the Church*, whereof they are Members; and then, Because 'twas *that* which had indeed so great a hand in freeing the Doctor's own Conscience from those mistaken Notions wherewith it had been before obstructed from making a right Judgment of things. As to the *Authority* alledged, if the Judgment of a Convocation be not the Judgment of the Church of England, being the only legal ordinary *Representative* thereof, we may well despair of ever knowing what is. However, be it so or not, those who are against the Oaths can't object against its *Authority*, since 'twas publish'd by themselves; and surely the *Authority* of it can't rise and fall as they find it for or against 'em; nor will it be said that part of it which makes for their side is authentic, and what is against 'em not so.

The Remark toward the end of this 11th page seems neither modest nor true, that the Generality of the *Nonswearers* are of the Clergy; so far from it, that I believe, in a just computation, not the tenth part, nay perhaps not the hundredth of the *Nonswearers* are Clergy-men; for if we shou'd rise so high as to suppose some hundreds of the Clergy refuse the Oaths (which is a large Grant) there wou'd be at that rate so few of the *Lairy* as wou'd reduce that Faction to a very small number.

Page the 12th, he objects against the Doctor's Hypothesis, that 'tis the same with Mr. William Jenkins's: and if that be the worst Objection against it, 'tis still like to stand firm enough; for he may as well forbid the Doctor to preach of the *Day of Judgment*, because Mr. Jenkins has done it before him. However, the Powers which then were, cou'd neither pretend to that degree of Right or Settlement, as the Doctor largely proves, with those which now we are obliged to obey.

In the next page, something of the Author's own *Panther's* *saie* appears, in that handsome and modest Remark, That the Doctor's Reason, if good for any thing, must be something that was never known before, because the Effects of his Prayers; but the best is, he deals with that Power whom Men and Angels adore (according to his known sence of Religion) just at the same rate he does with his Ministers, and just after compares it to the *Delphick Oracle* and the *Idols* of the Heathen.

He's now fairly come the second or third time to the State of the Question, by that time he's arrived almost at the middle of his Book:

Whether

Whether Allegiance be due to any other than a Legal Right, adding, That hence some will insinuate that their present Majesties have no Right. If they will fool themselves with Fallacies, who can help it? a man may draw what Conclusions he pleases from what Premises he will; but the Question is, Whether 'tis a fair Consequence or no? A Supposition can never be charged on him who made it, as if he really granted it: and there indeed is the main Cheat, whereby so many men in this case impose upon themselves and others. They pretend the Doctor grants what he does only suppose; as if, for instance, He or any other Divine, shou'd use Arguments from the Nature of Virtue it self, and its conducing to Civil Felicity, to urge the Practice thereof, even supposing there shou'd be no Reward for't after this Life is ended. Here might he just as fairly be accused for denying God's Providence and Justice, as the Doctor is for denying the Legality of the present Government, even after he has given a sound Reason for insisting on that way of Argument, rather than others, because most comprehensive, and not so intricate as to matter of Fact, as others urged for the same purpose. So that whether the Doctor was ignorant of the Constitution of the Kingdom or no, it appears not from what he produces, since he only supposes his Reader so. And in the mean while we won't quarrel, whether the Doctor was willing to be rid of a Popish Government, since he has publicly avowed, from the Pulpit (before this Book appeared) That the Revolution wrought by their present Majesties, was certainly a great Deliverance, and that we ought to praise God for the same.

Page 15. He, as is usual with him, grossly contradicts himself: Our business, says he, is not to oppose the Doctor's Reasons, but to shew they come too late, &c. And yet in the very next Paragraph he adds, "Now to the Reasons themselves, which the Doctor under-props with very feeble Pillars: by allowing an Uncertainty in his first Position he gives his Adversary Latitude to deny his first Assertion. Where, if it be not opposing the Doctor's Reasons with a witness, to say they want Foundation, and that the very first Position is uncertain, I can't tell what is. Yet again in the same breath, 'tis so far from being uncertain, that the Doctor's fault is "putting himself on an unnecessary trouble of proving that which all men of Sense and Judgment are already convinced of. But 'tis no great matter what a man of the Remarker's Judgment draws from the Doctor's Book; and let him affirm never so confidently as pag. 16. That it is plain that he makes a Doubt of the Legal Right of Their present Majesties, by disjoyning Legal Rights from Government and the Authority of God; yet he has yet done nothing like proving it, and without that I see no great need to believe his bare word.

He

He goes on, and pretends, as most of the other Answerers, That this *Hypothesis* defends Cromwel, and sets their *Majesties* on the same Foundation with the worst *Usurper*. For the last we'll once more repeat, That he only *supposes* it, not *grants* it. For the First, That he shews sufficient difference in answer to this very *Objection*, which his *Remarquer* has never read or not minded, or won't meddle with't, because he finds it too hard for him, which when he does, 'twill be time enough to defend it.

He's once more upon the *Convocation-Book*, but advancing nothing new, he must be contented to look back where it has been already discoursed of; for I suppose he expects nothing in answer to his *Stories* and *Simile*. But one thing observable in this Page is, That he advises the Dr. instead of an inconsiderable *Convocation-Book*, to read *Suarez*, *Spinoza*, *Grotius*, or any of those famous Writers, which have largely handled that Subject. And now we may believe he has done all he would have done, had his *Opinion* been ask'd soon enough in this matter. He has recommended some strange Authors to the Dr. which ten to one but he never heard of before. But what if the Dr. has already consulted these Authors on the Subject? One would well think he has, since his Notion is the very same with the famous *Grotius*, the best of the three mentioned, who have all writ on the Point in *Question*. Let any one compare what he says in his *De Jure Belli & Pacis*, Lib. 1. Cap. 4. and see whether it been't the same, almost in Terms, with what the Dr. has asserted on this Subject, and that many years since, as well as just on this occasion. *Grotius* affirms, That in a doubtful Controversie between Princes, every private person must not take upon him to determine which is in the Right, but is to follow the Possession, [as Christ commanded his Disciples to pay Tribute to Cæsar, because his Image and Superscription upon the Coins was an Argument that he was in possession of the Empire.] Thus far *Grotius*. The Dr. upon the same Text has these words in his Case of Resistance, page 51. That our Saviour does not examine into Cæsar's Right, nor how he came by his Sovereign Power; but as he found him in Possession of it, so he leaves him, and requires them to render to him all the Rights of Sovereignty. Thus we see the Dr. either has, or may have consulted *Grotius* on a Subject wherein they are just of the same mind. But for *Spinoza*, I believe the *Remarquer* had the most kindness of the three, since 'tis notoriously known their Principles are the same in Religion, whatever they may be in Politics.

Page 18. he says, What the Dr. meddled with, was none of his business. I think 'tis any honest Man's business, and more especially the Dr's, to prove the Lawfulness of taking the Oaths to their present Majesties, and that he has accordingly done; However Men of such penetrating

Judgments as the Author, cannot believe but that he had other *Intentions* in publishing this Book, with as much Truth, Ingenuity and Justice, as in the same Page he affirms, that the Dr. endeavours to enjole the Nation, by starting unnecessary, or rather pernicious Doubts and Queries; whereas he has been already told, and all the World knows, that the Doubts, or rather Resolutions on which the Dr's Argument is chiefly built, were so far from being started by him, that, as has been said, they are some hundred years old, and as authentic as the *Laws of England*. Now if we are obliged to submit to such as are *Kings de facto*, as all our *Lawyers* acknowledge, who are proper Judges in the Case, we must do it as they have Authority, and that delegated to 'em by God, tho the manner and measures thereof specified and regulated by the *Laws of any particular Nation*; and this serves to answer something of his, which looks lik an Objection, pag. 20.

As for the *Boyne-Battle's* satisfying the Dr's Conscience, 'tis already answered. As for his making no distinction between K. William and the Throng of Tyrants and Usurpers, once more 'twas necessary to the Argument that he should not, or else how could it reach those who believe him no otherwise? But 'tis worth a Smile, tho scarce worth answering, when he complains, that the Dr. ranks the King among *Turks, Muscovites, and Great Moguls*, not only, according to his old Notions, as if Dominion were founded in Grace, and a Turk or Tartar must needs be a Tyrant; but as if the *Czars* themselves were not to be obeyed, merely because they have hard Names, and live in a cold Country; for let he himself find better Reasons if he's able. And that he believes yet the old forementioned Article, seems very probable from what he advances the next Line, That the Dr. might have found one Argument from the many conspicuous Vertues which their present Majesties possess, to prove that they have a Legal Right to the Throne. Indeed he goes on at the same rate, and pushes the Argument yet further, supposing the whole two ample Nations of England and Scotland immediately inspired by God himself, to call the then Prince into their Relief, and that such an Inspiration infused by Heaven, as he expresses it, might be a nomination of the person as effectual as that of David by the Inspiration of Samuel, and their Majesties thereby had as Legal a Right to England, as David to the Throne of Judah. One Argument more for their present Majesties Titles, than as I remember, was ever before urged.

But however, supposing all this true, and granting the Consent and Choice of the people of weight in this case, the Doctor's Book neither contradicts these, nor any other Topics others may proceed upon to prove the Legality of the Oaths now required.

For

For his Instances of *Nero* and *Heliogabalus*, asking whether or no God gave them *Authority*; undoubtedly he did, or else *Sr. Paul* would never have call'd 'em the *higher powers*, and *ordinances of God*. But 'tis true, this *ministry or authority* committed to 'em by God, was for good, not for evil.

He complains that the Dr. *cheats the people of their Authority in setting Governours, and gives it to God*--- I hope they may both have it together; if not, I shou'd be apt to be for God against the people.

But how is't possible for him to get clear of that base and scandalous Reflection at the end of the 25th page, *That the Foundation and Scope of the Doctor's Treatise, is to obviate the Act of Parliament, and prove their Majesties absolute Usurpers?* I say, how he'll get clear of that, let himself take care.

He says, p. 27— 'Tis not so true that *Kings are invested with their Authority from God, since 'tis apparent that they derive a great part of it from the people*— But notwithstanding his haily assertion, one of these does not hinder the other.

For *Passive Obedience and Non-resistance*, which the Dr. proves, are not injured by this *Doctrin*, but that rather they both stand on the same *Foundation*; the *Remarquer* says, that they were indeed founded on nothing, but the *Court Flatteries* of late Kings in order to the introducing *Arbitrary Government*.

I confess those notions have bin much abused, and strain'd perhaps much further than the Law of God or man intended 'em. But take 'em in a right sense, and I believe few *Christians* will oppose 'em. all owning that *private persons* are not to resist *Authority*, or disturb the State they live in; and that when no *notable Inconvenience* follows, any mischief is better than War; and without allowing these *Doctrins* in some sense or other, there can be no such thing as a *Rebellion* in the World. As for *Passive Obedience*, never any but *Hobbiſts* had such a foolish notion on't, as that it obliged all persons right or wrong to obey the Commands of Superiours, but that there was a *Salvo* left both in the case of *Religion and civil Liberties*. For the Dr.'s not sooner taking the Oaths when they might be taken on *such principles*, which he next objects, 'tis already answer'd, As that question, how, or how far *Tyrants and wicked men* may be said to be ordained by God?

He faults the Dr. page 30 and 31, for saying, *he could find no difference that the Scripture ever made between Kings and Tyrants*, nor I'm pretty confident any one else, as to the obedience that's to be shew'd 'em; and the *Remarker's* objection to the contrary is a very unlucky one. All the names of Government and Governors to which we are required in the Scripture to be subject, as *deus, Imperator, &c.* he says

were still appropriated to *lawful and moderate Governors*. But he forgot his Chronology, and what Monsters then made the *Empire and the World* grown under their beastly weight: How *tyrannical* their *Government*, and how *unjust* the way of acquiring and preserving it; and yet even in that case the Christians were required under the severest punishments to be subject to the same.

The Remarks on the Dr's Case, &c.

THIS modest *Remarquer* being now dispatch'd, we proceed to another of the same name, whether the next as they were publish'd, is of no great concern. And he begins with telling the World, these Observations are not to *show his skill*, but perform his *promise*. He does well not to *cheat his Reader*, but tell him the plain truth in the beginning, which he takes care to make good all through his *Pamphlet*.

The first thing he cavils at, is the Dr's endeavouring to convince all *sober Christians*, that men may take the Oaths without renouncing any Principles of the Church of England. To which he replies, That he hopes we were not in such a Condition as that *All sober Christians stood in need of such a Conviction* — Where the Answerer imposes upon himself, or would do so upon others. Those who needed no such *Conviction* in order to take the Oaths, may yet need it to persuade 'em the taking such Oaths is not contrary to the *Doctrine of the Church of England*.

P. 2. He says the Dr. would be thought a *wise man* because he says he never gave any just occasion to the World to mark him out for a Fool. — And if that Character implies *Wisdom*, I know not but the *Remarker* himself might pretend to't, at least before he writ this *Book*.

God forbid, says he, the *Principles of the Church of England* should be so obscure in this matter as to create a doubt, and that the Dr. should be *two years* making *Reconciliation between Duty and Allegiance*. The first part of this Covert Objection is easily solv'd, since People may doubt where they may not have reason, tho it appears so to them. No Church, nor State neither, can provide for *unforeseen accidents*; nor is it strange, or any *Reflexion* upon a Church, supposing its Decisions be obscure in a Case which before never happened; for the *Primitive Churches* were in the same Condition in Relation, to several Controversies, before they were solemnly decided by 'em. For what follows, The Dr. his being *two years* satisfying himself, 'tis only the old Objection, and must have the old Answer.

The *Convocation-Book* must next feel the Fury of his Wit, and not only that, but all the *Clergy* together, betwixt whom and the *Gentlemen of England*, he would again revive a Quarrel. *How mean*, says he,

he, are we Laymen in the Eyes of these Gentlemen, that nothing writ (by us) on this Subject had any Influence on this Clergyman's Judgment, till he met with a new upstart Convocation-Book?

And did none but Laymen publish any thing upon that head — So far from it, that if Enquiry were made, I believe three to one of the many Learn'd Treatises, written to satisfy the People in the Lawfulness of the New Oaths, have been done by the Clergy; and this we might be satisfied in by an easie Observation.

Nor can he pretend what has been written has had not any Influence on the Doctor's Judgment, since he acknowledges enough has been said upon those Heads to make a Man modest in his Thoughts; but however himself takes the Liberty, as has been said, to manage such an Argument as must satisfy all Men. And if he had a respect to a Monument of some Antiquity, (not a new upstart Book) if his Judgment could not make a clear Determination before; if this remov'd that Prejudice, and he is so ingenuous to acknowledge it, Where all this while is the harm on't? Or what Injury does he do to the Laymen thereby? Nor does it follow that a Man's Thoughts are Slaves to an Assembly of Ecclesiasticks, because he's guided by 'em into the Knowledge of Truth; not concluded in any Error.

To dispute the Rights of Princes (when in actual Possession) the Dr. truly and handsomly says, no Government can permit amongst their Subjects. His Answerer tells us, he hopes all Subjects who believe it may assert it; and I'd fain know where the Dr. says the contrary. But the Dr. further observes, that such Disputes lead Men into the Dark Labyrinths of Law and History, in which we must have perfect skill, to judge of the Constitution of the Government. The Layman answers, that such as he, think Laws and Constitutions of Government to be safe Rules of Conscience in these matters. This none doubts, when agreeable to the Laws of God; but he adds, Neither are these such dark Labyrinths as the Mysteries of the Holy Trinity, Incarnation, &c. But the difference is, these are clearly revealed, and we have Holy Books and Records in all Mens Hands, which make those things sufficiently plain to any, who consult 'em with an honest Mind.

And had we in like manner a Body of King Edward's Laws, had we the Original Charter of Government, in which the first Kings of England entred into Bonds and Covenants with their Subjects; had we any Statutes which make a clear, short, authoritative and decisive Settlement between Prerogative and Property, any provision made for such unforeseen, invidious Cases as sometimes happen; the Layman would be much in the right in this matter. But tho there is a great deal to be said in these Cases, and with a great deal of Reason, yet I hope the

Scripture

Scripture is a little plainer in the *fundamental Articles* of our Faith, and besides a little easier to be consulted, than a *System of Law*, made up of some two or three Cart-loads of Books heapt together. And indeed the Gentleman's Argument that our Government was so very well understood by our *Ancestors*, seems but an unlucky one, because they supported and asserted it from time to time at a vast expence of Blood and Treasure. Such Struggles, and so frequent as we had concerning those matters in former Ages, one would think lookt as if the case was doubtful, which put the Nation so often on such dreadful hazards to decide it. Nor sure will it be said, that the Proud Ambitious Clergy-men of the Charles's and James's thus perplex the Cause, (as p. 4, he asserts,) unless also they had a hand in the *Barons Wars*, so many a hundred Year before they were born. Just as fair and probable an Accusation as what follows in the 6th p. that this Rule of Conscience, (the *de Facto* distinction) was invented by the Clergy-man in his Study, and set up instead of the Laws of the Land. That can't be set up instead of a thing which is the very thing itself discoursed of. The Laws of the Land as all the Lawyers tell us, first made this safe Rule, grounded upon Justice and common Reason. The Clergy-man did not invent that in his Study which was invented by Henry the Seventh's Parliament before his Great-Grandfather was born, which was taught by *Grotius* (no Clergy-man,) *Sanderfon*, and others, perhaps before he was born: Which the Parliament who made the Oaths in dispute, by leaving out those usual Words which favour another sense, fairly intimate was sufficient to express and oblige our Allegiance, and which the kind Layman, in the very next Page, being sorry for the Scandal he had thrown upon the Dr. himself, acknowledges, namely, that 'tis no new Invention of the Doctor's. Nor need I answer that prejudice: That will serve the turn of every Usurper, till he answers what the Dr. has said on that very head, which because one would think he had not seen, 'twill be civil to direct him to it, from p. 45, to 50, of his *Case of Allegiance*.

P. 8. He blames the Dr's Inference from those places where God is said to remove Kings and set up Kings; &c. and says, such Expressions are only to be understood of God's ordinary Providence: Supposing as much: What would that advantage him, or hurt the Argument? Tho' by his leave God may properly enough be said in a more than ordinary manner to Interest himself, in the Fates of Kingdoms and Empires, the Lives and Deaths, and perhaps Souls too of so many Millions depending thereon.

He denies in the same Page, that the Authority of Princes is immediately from God, because, 'tis no other than what the Constitution of

of the Government allows: Granting one, I see not how it takes away the other. All Government and Authority is from God, nor did I ever know any deny it, who is undoubtedly the sole original Fountain of Power. But as has been said, the Specification, or Exercise thereof may be from man, as far as regulated by the Laws of the Country. Nor I can't tell what they would have more, unless God must be submitted to Man; and they are of his opinion who finds fault with — Next under thee and thy Christ, — as a crude, not to say worse Expression.

He blames the Dr's notions, as if they suited only with a Despotical Government, and downright Tyranny; but no man is farther than he, in this and other Books, from betraying the Liberty of the Subject, or exposing 'em to ruine. He does not think the Subject obliged to assist such Governours, and by consequence, as he proves they can't long remain in their Thrones. He says, p. 33. He does not think the Right and Interest of any Prince so considerable, as the safety and preservation of a Nation, and the Lives and Fortunes of all his Subjects. Again p. 45. Is the Right of any Prince so sacred as to stand in Competition with the very being of Humane Societies, and the safety and preservation of all his Subjects? This is to make all Mankind the Slaves and Properties of Princes; as if all Men were made for Princes, not Princes for the Government of Men. These and twenty Instances more can be given that the Dr. is as far from being guilty of what he's here accused of as any man living.

If the Church of England has taken care to condemn all those wicked means whereby changes of Government are made, as he out of the Dr. from the Convocation, I ask of him, Whether the Laws of England do not the same? But the question is, Whether either of these reach the present Case? Both Law and Gospel condemn resistance of our lawful Superiours; but neither, that I know, give any direction how to behave our selves, supposing all overturn'd, the Laws vacated, the Government changed, and in respect of what it was before, entirely dissolved, not being willing to suppose any such things should happen: — Which if they do, by their not taking particular care of those cases, they seem to leave a man to the direction of common prudence, and self-preservation; and in effect they can do no otherwise. As for our Princes having authority from God to cancel our Laws, the Dr. never affirms it; nor is it a fair Consequence from his Assertions. However, Resistance, or not, is not the Question now in agitation, though the grand proposition which the Doctor lays down in his famed Book, is of it self, even according to this Gentleman's notion, easily defensible; to wit, That the Supreme power, wherever

wherever 'tis lodged, is always irresistible. The Supream power of this Nation is the King and Parliament, they make *Laws* as they please; the *Law* you grant is irresistible, and your own principle is *Executio Juris non habet injuriam*: So that should the *supream power*, the King and Parliament of England, take away my *Estate*, to which I am sure I have a *Legal Right*, are they in this case resistible or no? and is there not here undoubtedly such a thing as *Authority*, and that the *Authority of God* against *Legal Right*, unless you'll do as you pretend another reverend Doctor does, distinguish between the *Authority of God* and the *Authority of the State*, as he betwixt the *Spirit of God*, and that of the Church.

With as little Reason as most of his other Complaints, is his charging the over-straining several points of this nature both in *Divinity and Law*, upon the Clergy only, p. 13. But were they alone concerned? Were not the Gentry too of the same mind, and the Lawyers as instrumental as any? Who, however Gentlemen might be misled, will be ashamed to plead they consulted their *Parsons* for direction in their own faculty. I am unwilling to go farther, and ask whose hands have been dipt in, at least foully sprinkled with some of the best Blood in the Nation, lest perhaps the Answer might bring it home to those who now make the loudest outcries against others or the same things in which they themselves had once so large a share.

The same 13 p. He says the *Doctrin of the Convocation is not the Doctrin of the Church of England*: But as the Dr. asks the Question, *If that been't, what is?* And who but Singulars can answer for an Universal? However, be it so or not, 'tis a good Argument to those who have published it as such, and to such particularly the Dr. uses it. Not to add, that if in Queen Elizabeth's time a Convocation was a *Representative of the Church*, I can't tell how it should come to be otherwise in the *Reign of King James*: Nor supposing he confirmed not the *Canons* they made, are they therefore less the *Church of England's true Representatives*, any more than the Commons are not the *Representative of the Nation*, if the King does not pass the *Bills* which they have sent up for that purpose?

Page 15, he very reverently tells us, that the *Stories of Jehu, the Moabites, Ehud and Eglon, &c. are no more to us than a Tale of Tom Thumb, or Guy of Warwick*. Too many I believe are of the same Judgment with this Gentleman, tho' few so frank as not only to speak but print it. I always thought all *Scriptures* had been written for our Learning, and Direction too in the grand Emergencies of Life; among which 'twould be strange if there should not be one word of our

our behaviour towards *Governours*; tho' there as well as in other cases, common *prudence* must direct us in the *applications*, which I suppose 'twould hardly do from the *Tales of Tom Thumb or Guy of Warwick*.

In the same Page, he has as little mercy on all our *Clergy* together, as on the *Dr.* charging them in their *Canons* for affirming that the *Royal power in England in Ecclesiastical Matters had the same Authority which good Princes had among the Jews and Romans*; true, for they had what the *Laws and usages of their Country* allowed 'em, and ours no more. But as for the *Supream Authority* here, vested in *King, Lords and Commons*, they are certainly as *absolute as any Prince in Christendom*, have as uncontrollable power of *Life and Death*, can dispose as they please, not contrary to *God's Laws*, in matters *Civil and Sacred*; and I think in these cases will be acknowledged *irrefutable*.

The *Objection* from *Thieves and Robbers* he may turn to the *Dr's Book*, and see answered before ever he made it. There is pure force for the *Destruction of Civil Order*, without any agreement. All which the *Dr.* says are necessary to shew *God* has committed his *Authority* to any Person; which he believed *King William and Queen Mary*, in some measure had before the late *King's Forces* were broken, and endeavoured to pay a proportionable measure of *Allegiance*. But now the thing is clearer and beyond *Controversie*, he gives the highest Instances of his entire *Submission* to them by taking the *Oaths*. And that both the *Dr.* and all *Christians* observe the *Methods of Providence*, if in any thing in the *World*, certainly in those of such vast concern, as the *Alteration of Kingdoms*, no man would blame 'em for, but such as most reverently stile this a waiting till *God* has played his *Game out*. So becoming an *Expression*, that no *Clergy-man* but I believe will be glad the *Author* on't had not their *Gown* on; and I'm confident no pious *Lay-man* but must disapprove as much as the *Clergy* themselves can do it.

I must next ask the *Remarker*, who told him that the *Church of England* must not stir their *Finger* against a *Prince* who *invades their Right all at once*? Not the *Dr.* who is not here upon that *question*; but I am sure he advances what is very far from it, who owns the very *Reason of our Obedience to Government* is for the *preservation of Humane Societies*; whence by an easy and short consequence, if that *Reason* ceases, the *Obligation* is void: and cease it does, when their *Right* is all at once invaded. And as plainly a little before, — *That that can't be a true Principle which at any time obliges honest Men to lose their Lives, Estates and Liberties in opposition to the Government of the*

Nation wherein they live. — Which takes off all those long Complaints and insinuations in the following Pages, whereby he'd fain draw upon the Dr. the ill will of all those excellent Persons, who assisted in what the Dr. so often acknowledges, *so great a Deliverance*. But 'tis not doubted but most of 'em are Masters of Sense and good Nature enough not to be mov'd with such forc'd, far fetch'd, odious Consequences as these, which may be drawn by the assistance of a good proportion of *Malice*, and an indifferent one of *Wr.*, from the most innocent actions or assertions in the World.

He urges p. 21. That this Argument gives the King and Queen *God's Authority* without any *Legal Right*. — But the Dr. proves they have a *Right* to our *Allegiance*, and a *Right* to't by *Law*; and I think that's a *Legal Right*, if 'tis possible to spell out what is so.

Page 22. He won't answer the Dr. *Paragraph by Paragraph*; — Nor is it his safest way, for then he'll have every word of his own Answered before he writes it, and much more than he urges. — He again blames him for *setting up an Hypothesis of his own*, which he yet p. 7, acknowledges is *no new Invention of his*, tho' a few Lines before he was of the same Opinion he is now; that 'twas invented by him in his Study, and he had been all this while finding it out. Such a Man's *arguing* as this must expect indeed to be *sighted and despised*, tho' it makes him never so angry to be so used.

The *Oath of not taking Arms by the King's Authority* against his Person is infinitely different from the case in hand; but if not, must Dr. Sherlock too answer for Acts of Parliament, as well as his own Book? His next Objection against what the Dr. advances, that the Scripture makes no difference between *Rightful Kings and Usurpers*, has been answered already.

The Dr. has brought the same Argument which almost all *Ca-suists* have used on the same occasion, for our obedience to those who
 “ have actual power over us, without examining their Titles, because this
 “ would involve the Conscience in perplexity; and he can't think the *Reso-*
 “ *lution of Conscience* in matters that all Mankind are concern'd in should
 “ depend upon such disputable niceties: He answers, a Rule must not be rejected because not clear, wherever Learned Men differ about it, unless a new one be set up, which all agree in. Which I deny, for the Question is not Whether this new Rule (if it were so) of the Drs. is such as all Learned Men do agree in, but Whether it be plainer and easier than other Rules: Which in this case are voluminous *Law-books*, &c. and whether of the two here is the plainer Rule, let any one be Judge.

To what end he asserts in p. 24. — That a *Force* gives no *Right*, which the Dr. himself is so far from denying, that he in *terms* asserts it; let him give an account if he can, for no man else can imagine.

He presents a *Dilemma* at the Dr. and argues thus, p. 26. That either this *Rule* of his is *agreeable* to *Law*, or not; if one, what need on't? if t'other, those who bring it are *Enemies* to the *Law*. But the case may be such, that it can't be determined clearly by the *Law*, so that we may easily *slip aside*, without any injury at all from this frightful Argument. — But the truth is, this *Rule* is agreeable to the *Law* of Nature, Nations and our own Kingdom, as has been often proved; only the Dr. has dress'd the Argument a little better, and made the point out sharper than 'twas before, which is yet such a disguise, that some People can't know it again.

Our Saviour's Argument relies wholly on Possession; — well, and will he answer him too? No, But according to that, *Render to Cesar*, &c. the Dr. ought to have taken the Oaths when the New Money came out; perhaps so too, had his *Conscience* been then satisfied; but I hope not otherwise.

He says, if the *Dispossessed King* retain a *legal Right*, we are commanded by Scripture to *restore him*, and accordingly argues from the 13th to the Rom. *Render to all their due*. — But the Dr. asserts *Allegiance* is not due when he has not *Possession*, one of these depending on the other.

If the late King has a *Legal Right* yet, (he goes on) then no *English Subjects* can have a *Legal Right* to oppose him, which yet is the necessary consequence of the Dr's *Possumus*. But does he affirm, or only suppose any such *Legal Right* in the late King? Yet supposing that I ask him Whether the *Kings de Jure* are not *rightful Kings*, and if such have not a *Legal Right*, and yet whether our Law obliges us not to oppose such *Kings* in defence of those who are *Kings de Facto*, or in present Possession; if so, as sure enough they do, what becomes of his Consequence?

He quarrels with the Dr. for clearing himself, that he did not by all this intend to reflect upon the present Government, which it seems he'll make him do against his Will, and says 'tis like such as say, with Reverence he is spoken, when they are going to speak Blasphemy. Whether the Remarker ought not to have used the Phrase more than once in this Book, let others Judge; and for the Dr. 'twill be time enough to vindicate him, when any such Reflection is fairly proved against him.

The 3rd Page is only spent in chiding the Dr. both in Latin and English, and I think in Verse and Prose too, for teaching, That we need not assist ill Princes in defending them further than Law requires, which he also affirms in his former Books. Page 32. He tells us there's a Contradiction in the Dr's Assertions, that he could find no difference between *Usurpers and rightful Kings in the Scriptures*, and yet he had stuck till now, if not relieved by the *Convocation-Book*. The sense of which I can't find, unless he thinks the *Convocation-Book* and *Scriptures* all one.

Oliver's Case has been answer'd over and over; and 'tis indeed one essential difference, that the then Government were no Friends to Bishops; for I hope they have *Properties* as well as other Men.

I would answer his two Scriptures at the end with two other against Slandering and Malice; but having not a *Concordance* at hand, must ask his Pardon if I die in his debt.

The Two Kings at Brentford.

The next *Antagonist* we are to deal with, we must expect somewhat sharper Work from, than those already conquer'd, since he has borrow'd not only his *Title*, the *Two Kings at Brentford*, but much of his *Style* and *Garniture* from the *Stage*. And indeed so *Political* is he, both in the *Plot* of the whole, and the management of every part; he has so many *Flowers*, and such height and variety of *Expression*, and talks so much of *Circles of Glory*, that I should fancy 'twas even Mr. *Bays* himself, the Dr's old *harmless* Enemy; did not the very Name of this Play seem enough to convince one he had nothing to do in't, since sure he dares not venture so near the *Rehearsal*, as to steal any thing out on't, when it has so effectually shewn him to the World in his own proper dress.

But whoever he be, it must be acknowledged by all, he has a very *sweeping Genius*, comprehending more than the Dr's *Argument*, and taking to task not only the Dr's *present Book* but those already past; not only him, but Dean *Hicky* too, and even the *dead* as well as the *living*. However I shall be so uncivil to mind nothing but my own *business*, *The Defence of Dr. Sherlock's present case of Allegiance*, and that once done, which I have undertaken as a piece of Service to the Government, as well as out of Veneration for the Dr. I shan't be much concerned how far he *rambles*.

After a great deal of *Froth* flung about, and *whetting his Tuks* for some time, the angry Creature at last prepares in good earnest to engage and trample down his Adversary.

He begins the War with a bold *Challenge*, the greater part whereof he's sure none will engage him upon; *I maintain*; says he, p. 4. by *Law*, that their *Majesties* are rightful *King and Queen*, and came by their *Power* by due means. And so do I, and shew you, if you can, where the Dr. affirms any thing to the contrary.

But the *Sting is in the Tail*; he goes on, and which is impossible to be prov'd upon his grounds. That I deny; and tho it be more than I am obliged to do, will undertake to maintain from the Doctor's Book, and what is there asserted, either in exprefs Terms, or fair Consequences, That their present *Majesties* William and Mary are rightful *King and Queen* of these *Realms*, and came by their *Power* by due means. We'll joyn issue when he pleases, and let him either prove that he affirms the contrary, or what he next adds, the *Absurdity* and *Blasphemy* of those Principles on which the Dr. proceeds in this Book, and he shall quickly have either a Confession or an Answer.

Tho I resolv'd at first to meddle with nothing but the present *Book and Controversie*, yet I know not how to get over one Passage at the end of the fifth Page, relating to the *Behaviour* of the *Church of England* towards *King James*, which, he says, outwent that of the *Primitive Christians* to *Julian*. I confess I expected an Accusation for using that unhappy Prince too well, rather than too covrsly. But has the Remarker ever read *Julian*, or has he forgot him, or does the Reverend Author of that Book justify the unmannerly *Behaviour* of the *Primitive Christians* towards him, or that of other *Christian Bishops* towards *Arian Emperors*? Let any one read it, and they'll find the case far different. But more, if the matter of Fact is rightly represented, the *Christians* only pray'd for *Julian's* Destruction, even in his hearing; their *Priests* not only kick'd him out of their Chappels, but some think he was help'd out of the world too by some of his own Soldiers, while he was defending his Country against the *Persians*, its ancient and avowed Enemies. If the *Church of England* had indeed thus behaved themselves towards their last Prince, tho so ill an one, yet so near related to their present *Majesties*; I see not how their *Majesties* could have either that *Confidence* in them, or *Respect* for them, which all they World know they now have, and are never like to alter.

Nor can I get over another Passage, not very different from this, in the next Page, That those *Churchmen* and their *Disciples* who invited our Deliverer, and closed with the Deliverance, finding the number and sincerity of others more remarkable, and thinking their handful would be lost in a Crowd, they betook themselves to another *Multitude*, the *Criminals* of former Reigns. If he means by this Crowd, others of the *Church of England* more firm to the Government, and this handful, some who were

not as *honest* as they should have been, there is no great Sting in the Passage; for our Church pretends not, as some others, that those who call themselves her Members, are *all Saints*. But if, as is more likely, he concludes *all the Church of England* under this *handsal*, I'd fain ask who were the *Crowd*? Were they *Dissenters*, or Men of no Church at all? If *one*, a great *Reflection*; if *t'other*, as great a *Falschood*.

'Tis certain, the *Body* of the established Communion is firm to their present Majesties; for some few singular Men, who are otherwise minded, if they are resolved to make a *Schism*, as he tells us at the bottom of the Page, they must do it by themselves, and their number is indeed so inconsiderable, that for once to humour him, and talk in his own *Phrase*, they must e'ne make a *Rebellion* by themselves, and every Man *chuse himself Vice-Roy*.

But whether the Dr. *thinks God* he had no share in the Revolution, as he is charged in the 7th Page, *I can't tell*; for I find no such thing in his Book, which is my present Province. This, I'm sure, that there is little ground for what his Answerer affirms in the next Paragraph, *That he too plainly invites the late King once more to try his Fortune*, unless it be an Invitation of him, to tell those who were his Subjects, they are obliged to resist him, and by all *Legal means* defend their Country and *Regnant Prince* against any such Invasion, as our Laws also provide; and to tell 'em they are to expect nothing but *Blood and Destruction*, supposing he should return by *Foreign Force*, as any other way 'tis impossible he ever should, and I hope too *that way*, while there's one true Englishman alive, to tell 'em this, and prove that their *Allegiance* is ceased to the late King, and prove the Lawfulness of *Swearing to*, and obeying another, are, I think, but very odd Motives to persuade the *Abdicated Prince* yet once more to try his Title. He says indeed, in general, that the *Events of Providence* are no Rule against *Legal Rights*, or a prosecution of the same, which none can deny; nor was it possible for him not to say so, if he'd argue fairly, and answer one *grand Objection* against his Argument, which, considering whom he writ for, and what *Supposition* he goes upon, no wonder if he besides gives all the *Softnings* imaginable, which mayn't betray the Cause he defends. He says indeed, as quoted in the fore-cited Page, that the *Providence of God* removes Kings and sets 'em up, but alters not their *Legal Rights*. But he never says, they may not themselves either *forge* or *forfeit* 'em. Here, instead of fairly falling upon the *Ground-work and Principles* of the Dr's Book, and answering 'em in a regular manner, he runs from p. 56. where he begins, to the 52, 53, 52, 54. and so back agen. But to try if 'tis possible to follow him; he pretends in the forementioned Passage to find two Absurdities. That the Dr. is therein inconsistent with

with himself; and that he makes nothing of God's Authority. The first, from his asserting *That the Law makes the Crown Hereditary, and whoever has possession of such a Crown, has an Hereditary Crown, and leaves it so to his Heirs as long as they can keep it, as the 3 Heirles.* Here, he says, he leaves his Assertion, *That Providence alters no Legal Rights,* and makes *Fact argue a Right*; but I can see no such thing there: He says indeed *Fact is Fact,* and distinguishes all along *Possession* from *Legal Right*, as all People acknowledge it may be distinguished; and more, tho one be oftentimes where the other is not. And upon this Head he notoriously misrepresents the Dr. and brings him in affirming, *That an Usurper may leave his Crown to his Heirs by Law, without any express or implied Consent of his Subjects.* This would have been a Contradiction indeed, that a Prince can do that by Law, (which is the *express Consent* of his Subjects) which he does without their *Consent express'd or imply'd* either. But the best is, the Dr. never says it, nor any thing like it.

The Second Objection is, *That the Dr. makes nothing of God's Authority, because he gives the dispossessed Prince leave to fight against it,* which he branches out into three Questions: 1. Does not the dispossessed Prince, by so doing, deny God's Authority? 2. Does not God warrant him that is in possession to defend his Gift? 3. Or does God design to take away, before by restoring, the Power he gives the other, the Stamp of Authority?

In answer; In general I first observe, that all these Objections bear *as full against a King de facto,* and so against our Laws, as the Dr's Argument, who, as has been prov'd, must have either *God's Authority,* or *none at all.* But further, to the first of his Questions, A Dispossessed Prince *knows not but he may be restored,* and so God's Authority be of his side, tho for the present it may seem to be against him. Besides, this *Authority* may relate to the *Subjects,* not *him,* when as the Subjects are by receiving *Protection* and Laws from the Prince Regnant, sufficiently concluded in their Obedience to him, and Legal Defence of their Country against any Invader whatsoever. To his Second; The *Regnant Prince's* Defence of what by God's Permission and Providence he enjoys, and the Lawfulness of the same, may depend very much on the *Justness of the War in the beginning.* To come to particulars: All the World grants the then Prince, his present Majesty's Cause, was Just; and 'tis as clear, that the *Acquists and Consequences* of a Lawful War may be lawfully defended: For the Third; It is answered in the first; but besides, there's no question but God designs to take away his Gift, when he actually does it. As for those who have not bound themselves by Oath to the *Possessor,* concerning whom he forms
another

another *Objection*, are yet as much *concluded by the general assent* of the Nation, and the Decision of the *Estates of the same*, as that part of a Parliament which *opposes any Act* is bound by the same after 'tis made. The Case being now as directly decided against the *Non-swearers* by the Laws of the Land as against their *Head* by the Event of Providence. Nor will any quarrel with him for asserting expressly the same the Dr. does, *that when God has taken away the Kingdom from a Prince, he becomes but a private person*; nor has he then, as he also grants, a *Right to the Allegiance* of his once People; when he no longer *protects* them, and in *Relation to them* at least the regnant Prince has all *God's Authority*.

What he objects of a *Foreign Prince*, pag. 10. is plainly different from the *Case of the Subject*; and if one injures another; in that case he is *accountable indeed to God*; but none ever pretended his *Neighbouring Prince has any Authority over him*; which being apply'd to the following *Objection*, shews a *Reason* why the *Subject* may not, as well fight against his *Natural Prince*, especially when *Human Laws* have bound him up, as no doubt both *God's Law* and *Man's* too have done, while *Government and Protection* remains.

Pag. 11. He says the Dr. *justifies in the Lump*, all that he has not here particularly *retracted* — There's no need of that neither. He says, 'tis own'd in his Preface, in *Relation to the present Book*, that he has renounced no *Principle* he *er'e taught*, except one. And again, *The only material passage he sees Reason to retract*.

I find 'tis a great way with these Answerers to make *Speeches* for the Dr. the most convenient Method imaginable to make him say what they please, that they may answer him *how they will*. However, what *er'e looks like Reason* in the 11th and following Pages shall be taken care of.

At the bottom of the 11th Page, the Dr. is brought in saying, "That he *prayed* he might not forfeit the *Exercise of his Ministry* for a *Mistake* — Is there any hurt in that? But he *continued to pray* that he might not forfeit it *after he had forfeited it*. Does he tell us so any where? Or how comes it to be known?

He says Dr. *Sherlock* was consulted by those who published the *Convocation-Book* — But did he *consult* the Dr. here, or does he any where *acknowledg* it?

When the Dr. *prayed* for King *William* and Queen *Mary* by Name, he own'd 'em the *Powers* that *God* had ordain'd, as he himself asserts in the Preface, tho' pag. 12. his Answerer says the quite contrary.

The Dr. says, *Allegiance is due upon the account of Protection with Consent*,

Consent, *not upon Force* ; he makes him say, That 'tis not upo the account of *Rights* but *Force*.

He accuses the Dr. for asserting *Allegiance is not confin'd within Legal Bounds*, whereas he says, *The Laws are the measures and directors of our Allegiance*.

The Dr. says, these are the only *Principles* which can make the Government *easy, both to Prince and People in all Revolutions* ; and I think a very great Argument for their *Truth and Justice*, which he does not attempt to refute.

I can't see that the Dr. defends every word in that *Convocation-Book* ; the *Principles* he makes use of indeed he does, nor had he need to do more. Nor is there any more Reason or Justice in his blaming the Dr. for not inserting out of the forementioned Book such *Passages* as wou'd have plainly *disprov'd* the Government, and reflected upon it. But never was a sowler *abuse* than that here put upon the Dr. where he says, That he *interprets that part of the Canon, " If any Man affirm that Jaddus having sworn Allegiance to Darius might have born Arms against him, he doth greatly err in this manner, The meaning is no more than this, that he having sworn Allegiance to Darius cou'd not have made a voluntary deduction of himself to Alexander. The Meaning of what? Of the forementioned part of the Canon you'd think by the Answer, which wou'd be a strange meaning indeed, but the ill luck on't is 'twas never the Dr's meaning ; for consult his Case, pag. 8. and he there tells ye ; This was the meaning of Jaddus his Answer to Alexander ; that he might not submit to him while Darius liv'd, tho' when Alexander came actually to Jerusalem, he did then submit and swear Allegiance to him, being under his Power.*

He says pag. 16. that the Dr. *leaves the Subject at liberty*, not to assist the Prince in Possession against one who had the *Rights*, when an *Invader* — but kindly contradicts himself the next line, and tells 'em they are to give him all Legal Assistance, and he's very unreasonable who wou'd require more.

Nor does the Dr. suppose the *dispossessed Prince* to be a *Legal King*, tho he may have a *Legal Rights*, since he asserts he is not *King at all*, the *Person and Office* being then temperate ; nor does he any where deny the Prince in Possession to defend his own *Authority*.

Nay, in the 17th Page, he's positively charg'd, as well as in several other places with only what he *might have said* — The danger of *Foreign Invasion*, he may thus answer ; tho' yet he never did : In which same Page he has charged his Index with a Quotation out of the Dr's *Preface*, meerly to shew his own *Wise*, in playing with a word the Dr. uses.

Tho' much might be said in defence of many of the Dr's former Notions, and particularly, it might be prov'd beyond contradiction that he was ever far from intending to give away the Liberty of an Englishman; as particularly by one of the very passages here quoted — *That the Prince cannot make or repeal a Law without the consent of the People*; yet our present business, as has been said before, is not to defend what has been formerly done or written, but what now lies before us, especially when the Dr. himself own that things of that nature have been strain'd too far.

But worse than all this, pag. 18. he's angry with the Dr. because he is no Prophet, and did not know that King James wou'd violate the Laws before ever he came to the Government.

There are no such invidious Consequences to be drawn from the Positions the Dr. has laid down in this Book concerning which the present Controversie is, as his Answer insinuates; *That those who joyned with King William before the Abdication, rejected the Ordinance of God — That those who fought against the late King in Ireland, fought against their rightful Prince, &c.* Much less does he say, *their Majesties are Usurpers* either in terms or consequence — and let him prove it, or bear the name of a Malicious Slanderer, as he well deserves: Nor any more does the Dr. assert, *That he never taught but one Error*, (as pag. 19. he charges him) he only says — he has yet renounced but one Principle, nor can he see any Reason for doing more.

Here he falls on the *Licence*, as having no regard to his Master's Honour, &c. so dull, we must believe he was, and wanted Logick to see thro' these Mill-stones, and knew nothing in the World of all the dreadful Disloyal Consequences in the Dr's. Book, which this Eagle-ey'd Gentleman has found out where they were never intended.

The Dr. is next charged with setting aside the Consideration of Law as intricate, yet making use on's, and thereby rendering it indeed intricate, by his way of understanding it. In answer — He sets it here aside as to Right, not Fact, which whether reasonable or no has been before examined. He makes use of it to prove his Assertion, because the Proof thereof depends but upon one Statute or two at the most, and is plain and easie, and 'tis the Remarquer's Prejudice only, not the Dr's uncouth way of understanding it, which makes it there appear so intricate.

Thus if it be a plain case, without troubling the Subject with particular Controversies, as the Remarquer affirms, the Dr. has decided accordingly — But he says, he agen confounds the matter by saying, *The Law does not deny the other's Right to the Crown.* And I am, strangely

strangely mistaken if it does, when it supposes it, nay grants it, and 'tis the very Foundation of the Law; for what a mad thing would it be to distinguish between a *King de Jure* and *de Facto*, or as they call it, *Kings in Deed*, and *of Right*, and why does Cok argue thereon if there were no such thing in Nature?

Another thing he finds fault with on this Head, is the Dr's saying, *The Lineal Heir has the Right to the Crown*; when 'tis hereditary as to a Family, elective as to persons, and yet that 'tis *Hereditary to whoever gets Possession*.

For the first, it has been always *Hereditary to persons* where some notable defect has not intervened, or *Power conquered Right*. For the second, it depends on the *de facto* Controversie, and he shou'd have answer'd the Dr's instance in the three *Henries* before he had condemn'd what he can't deny.

Not to add upon the same Head, That had not our *Monarchy* been ordinarily *Hereditary as to persons*, what needed the Competitors to the Crown plead the next *Proximity of Blood*, since had it been always *Elective as to Persons*, and only *hereditary as to Families*? they need not have pleaded any more than that they were of the *Royal Family*, without any regard to an *immediate Title*.

What the Lawyers say of *Limitations and Contrails* may be true enough, nor is it denied by the Dr. who only says that matter of *Fact* in those cases is intricate and obscure; and I'm sure he can ne'r prove the contrary. As for the Dr's allowing a *Legal Right* to the Crown to him who is out of possession, which he charges him with in this first 21 Page; as has been more than once answered before, is no more than what his own Lawyers allow; tho' what is the dispossessed Prince the better, or the Subject the worse for the same; since as the Dr. affirms, " *Tho' the Law does not deny his Right to the Crown, yet may yet reasonably deny him to be King when he's out of Possession*."

And indeed, he may be call'd a *King* on account of *Right*, but is in *Deed* no such thing, because another actually administers that *Office* — And thus are the Authors two *Kings of Bradford* reduced but to one again.

In the same Paragraph he charges the Dr. with saying, That *Scripture and Reason require us not resisting a King, when he subverts the Laws and Liberties and Legal established Religion of the Kingdom by illegal Methods*; whereas he saith what's almost quite contrary, *That we are not bound to defend a King when he subverts the Laws and Liberties and Legal established Religion of the Kingdom by illegal Methods*. So wicked, distinguishing and silly a wresting his Sense, and falsifying his Words, turning them quite backwards, as one shall not often meet with, even from him himself. Since all that the Dr. says there, is, *That a Sovereign Prince must not be resisted by Force*; and indeed, where a Prince has the *absolute Sovereignty*, and entire Authority, few I suppose, will deny him to be in the *Right*, since where such *Authority* is, the *authoritative Acts* thereof are *Law*, and that there's few grant but it obliges at least our *Passive Obedience and Non-Resistance*.

But supposing he speaks of a *limited Monarchy*, and such a Prince as is only invested with the *Executive Power* and part of the *Legislative*; by his telling us the ill Ministers may be call'd in question, and suffer for the same, he supposes the Law has 'its due course, and the Government not as good as totally over-turned. For if things be once in that Condition, and the Prince is an *Usurper* on that part of the power which is *distinct* from him, and wherewith the *Law*, which the Dr. tells us, the measure of our Obedience; never intrusted him. In this case, which was plainly ours, as not concerning him, he does not meddle; and in *ordinary cases* or single instances, there are few I believe,

who think it their duty (supposing it in their power) to oppose the Princes with armed force, and fill a nation with blood and confusion. Now does it follow in lower instances, that if he may not be resisted because he has God's Authority, he must for the same reason be obey'd in every thing, not contrary to God's Law, since as has been often said, humane Laws are in Civil Governments the measures of our Obedience.

His third Accusation of the Dr. is, that he'd set up Scripture and Reason without regard to Right or Law. I hope 'tis no crime, especially for a Divine to urge Scripture and Reason, nay more shou'd one assert these ought to have the Priority of all humane Laws, and yet further, that where human Laws contradict these, 'tis no great question which ought to be obey'd—For the best is, there's here no danger of their falling out, for both Law and Gospel are of a side, as has been before often enough pretty near demonstrated.

His next complaint is, that the Dr. finds it convenient, That the Scriptures should have no regard to the Law which shews who have right to govern; yet he says 'tis evident, that they speak of persons not as invested only with natural but moral power. Now I see no reason for insisting so much on this distinction being such an outwork as may easily be slighted without any danger of the whole; for if Natural Power be Force, and Moral Power Law, he who is King de facto is possessed of both; and this is according to the Dr's Argument, so that all this Reasoner's Criticisms upon *over as deus a dea*, is *deus*, that they mean only Regular Subjection and Legal Authority might have been spared, for, they prove what his Antagonist does not deny; nay, affirm the self same thing.

Page 24. he says 'tis plain the Powers of whom the Apostle speaks were Legal Powers, tho' 'tis for the Dr's Interest, to have it believed otherwise.

And what gain is by that, tho' the Dr. does very much? if they were legal Powers, then we know that Possession with Consent gives a legal Title to Allegiance; for I'm sure the Roman Emperors could pretend to no more; — and that's the main thing the Dr. asserts.

He says, when our Saviour and his Apostles gave rules about Subjection there was no competition about Rights or Titles to Government; but where's the Main History or Memory? What then made St. Jude, (one of the Apostles sure) as well as St. Peter, unless I mistake another of 'em, speak so severely of such as in their time despised Dominions, and spoke well of *Dignities*; which they are forbid to do, by the example of St. Michael, even though they could be as bad as the Devil himself, than whom I think truly many of those about that time reigning were not much better. Was there no question between the Jews and Romans, between the Gospel and all Governments, between the Galileans and Pilate; or what was the meaning of the entrapping Question put to our Saviour on those subjects, and his last Accusation which laid him, that he made himself a King, and was contrary to Caesar. — But enough of this; not is his next Argument any stronger, that tho' the Romans themselves were great Usurpers, (that is before their Settlement.) Yet the Apostle in which the Question depends, was to the Romans; since they themselves whom he wrote, supposing 'em Roman, the *Senatus Populusque Romanus*, were the Persons oppress'd and Usurp'd upon by the Emperors. If most of the Jewish Christians there, the Dr. may easily prove the Roman power over them at first, an Usurpation, (tho' he denies it,) notwithstanding Herod's Will. For supposing in that Story Josephus should not be guilty of some little assumption towards the Romans, as undoubtedly he is in other Places, yet what Right has our Usurper to bestow a Kingdom to another? All know how Herod came by his power over the Jews; now if he had any legal Right to dispose of 'em; he must derive it from Possession and Consent, which is as much as is desired.

He blames the Dr. in the same 24th p. for affirming the Scripture never speaks of the bare permission of Events, but represents God as the Author of all the good and evil which happens to Societies and Persons; which I expected he'd have answered by instancing where it did;

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But instead of that, he wisely reasons against *matter of Fact*, and most religiously brings objections against the very *Scriptures*, the authority of which (at least) being I hope from God, (we may take the truth of it for granted, and wave any farther answer; especially when the *Robbers* case has been already considered.

At the latter end of the 29th Page, he argues strongly and handsomely for the *Dr*, however he falls into such a kind fit; *One*, says he, who came by undue means to a Throne, may yet so all as to obtain Gods favour, who then settles him in it, yet without authorising his Usurpation, which is *Mans Sin*. — Again, *Publick good* may require his Establishment, but if the Scripture be not so taken, as to discharge God from authorising the Sin in the Usurper, by the same Rule we shall be bound to believe that he authorises Private Robberies. The meaning of all which, I can't imagine, unless to shew his skill in varying the *Dr's Sense*, with other Expressions; and indeed I began to doubt I had mistaken the Book, and was transcribing out of the *Dr*, instead of his Answerer, till I turn'd to him again, p. 12. and found some difference in the Phrase though little or none in the meaning. — God cannot (says the Doctor) be the Author of any Wickedness, nor inspire Men with wicked designs or Counsels, or incline their Wills to the Commission of it; and therefore this we say he only permits; but when it comes to action, he over-rules their wicked Designs to his own Glory, &c. The Sum is, in which both the *Dr*, and his Answerer are agreed, that tho' God gives not Authority to such as have no Right to seize on a Kingdom to which they have no Title, yet when they have Seized on it, and are in Possession, and by the consent of the People, thoroughly settled in it, he then gives them his Authority, which appears by their being advanced to the Throne. And for what immediately the Answerer insinuates, against himself as well as the *Dr*, that at this rate God appoints those bounds which an ill Man gets by Violence, or an unjust Neighbour by a false Landmark; his own Reason just before alledged shews sufficient difference. The Establishment says he of any such Prince in his Throne may be required by the *publick Good*; (which indeed is the bond and reason of all Societies.) But sure the *publick Good* does not require an ill man to cheat his Neighbour, or another to remove his Landmark. Tho' immediately after, in the very next Paragraph, he and the *Dr*. are again of the same mind, and proceed together so amicably for almost half a Page, as one would think they'd never part again.

But 'tis but a *Calm* before a *Storm*, for they are immediately as far asunder as ever. He falls on the *Dr*. for not minding a Notion of *Dean Hicke's*, (which yet he himself asserts often enough in this Book by fair Consequence,) that the *Laws of Men are Gods Ordinances*, and the *Laws of God*, which had he done, he says he'd have avoided divers Inconveniences: — He needed not have contradicted himself, teaching that Kings have

Authority

Authority from God without regard to Right or Law, and yet, that the Law must teach what King, and what his Authority. But where's the Contradiction as has been said? If al. Power, all Government and Authority is from God, *Kings must have it thence or no where, (and so must States and Commonwealths too.)* But to whom this Authority belongs, and how far to be exercised, the Law, the particular *Topical Laws* of every Country must and do determine. He says, *Had he supposed God to have given Sanctions to Laws and not to Usurpations, he'd not have charged God foolishly.* Nor does he the last, because he acknowledges the first, by saying *God authorizes no Injustice, nor other Sin, and that the King has no right but by Law.* So that if the *Laws* themselves have Authority, if God gives them the *Authority and Sanction*, (and without this or contrary to it, they are void;) and if they give what Authority they have to the *King*, and make him what he is, as the Dr. affirms, then this second contradiction is lost as well as the former. Nor has the 3^d Accusation any more sting than the two others. For the Dr. has not yet said, that I can find, tho' he's here charged with it, that those who co-operated with God to the falling of the present Government, could not do it without Sin: No more than he denies that the Majority cannot in any sense conclude the rest, because they can't do't without Gods Authority, whence the power comes, and not originally nor properly from them. No otherwise than the *Acts of our Ancestors bind us*, which besides, none pretends they do without Limitation; for neither can I see by what right the Father can make his Son a Slave, nor believe any one else thinks the *Act Harbours Comburends* holds good, because 'twas made by our *Fathers*, nor any other Law against the Laws of God. Tho' in what the then Wisdom of the Nation shall judge conducing to the good of it, no question is to be made our *Act binds our Children*, their consent to what's reasonable being *supposed* in things of that nature.

But now another Scene opens indeed, as the Author of this *Play* observes, and a surprising one 'tis with such a strange turn, that 'twould hardly have been thought probable enough for the *Stage*, had there nor been some little artful touches of it before to prepare the Auditory, and lessen their wonder. I maintain, said the Author, that 'tis impossible to be prov'd upon his Grounds, that their Majesties are rightful King and Queen, and came by their Power by due means, p. 4. This so alarm'd me, that I there took up the challenge, and withal, (as from the consideration of the Doctors Book I easily found I could make good) undertook, when he'd discharge his promise to shew the contrary. But now I find there was no need on't, for he himself has most surreptitiously prevented me, and as I have heard of some others, but till this instance scarcely believ'd it, fairly answered himself to get a Penny; at which he has certainly the best knack in the World. Judge all the world whether I wrong him, for p. 28, are these very Words.

I hope, (says he) the Dr. will not say I misrepresented him, when I draw from his own Concessions, such a Scheme of Government as will with great clearness prove their Majesties to be lawful and rightful King and Queen. Which yet, before 'twas impossible to prove from the principles the Dr. goes upon. All I'll say more on this head, which we are so well agreed on, and under which he has collected an unanswerable defence for the Dr. is only to advise the Remarker from henceforward never to indulge the Idleness of his Pen so extravagantly as to print what he writes, without once reading it over before he makes it publick: Tho' I find this himself is so much his fault, that he serves other Books at the same rate, and makes but one reading of 'em. Whence 'tis no wonder if he sometimes, I hope not wilfully misse the sense of the Author, to that degree, that in some places particularly p. 29, he brings in a piece of an *Objection* instead of the Dr's own positive Judgement. Tho' he makes answers for all, by once more declaring p. 31. That the particulars he has alledged, do in justifying the Revolution, prove their Majesties to have been rightfully declared King and Queen.

After he has been very busy for several Pages upon the same good work, which 'Til by no means disturb him in, he srowes again in the 33^d p. Where he comes to the

436 Objection against the Dr. as he lays it here; tho' the 3d in p. 10, where we have 'em altogether; (but as has been noted, his faculty does not lie in looking backward,) and that is, *his Excuse, both for holding off, and coming on, is lame and unsatisfactory.* 'Tis very hard to displease whatever a man does, tho' some People are resolved not to be satisfied, and like ill-natured *Sophisters*, quarrel with them, take which side of the Question you will. And the proof of the *Lamentable* of the Doctors is, that he held off, and came in upon the same principles. — Supposing it, is it any hurt for a Man to be true to King William upon the same principles that made him true to King James? *Submission to Gods will, and obedience to Providence*, are principles which none can find fault with, unless the mistake of them lead us into Sin; which I hope he won't prove the Dr's compliance has been, when he was once satisfied, and am pretty confident he can't prove his non-compliance such, while in a doubtful case, his Conscience either was not satisfied, or persuaded him otherwise.

The Dr. says, *Tis a Kingdom of Judah was entailed to David's Posterity, and nothing could justify an Usurpation against it.* Tho I can't see where this reflects on the Dr. nor why the Remarquer should go about to confute it, yet I'm sure 'tis true, and his Reasons to the contrary nothing worth: He says the Dr. *only comes to his Rule from Success*; but there's much more in't; for in the words of the Prophet to Jerusalem, which were a kind of Charter to the Kings of Israel, God tells him, *2 Kings 31. 11. I will rend the Kingdom out of the hand of Solomon, and will give ten Tribes to thee — I will take the Kingdom out of his Sons hand, and will give it to thee, even Ten Tribes — Humbly I will not take the whole Kingdom out of his hand — Unto his Son will I give one Tribe.* Against this he pretends this was but a Prophecy of the Event, and no Promise to Rehoboam that he should keep Judah: But if what the Prophet says in God's Name to Jerusalem were more than a Prophecy, namely, As Authoritative a Promise as David had for his succeeding Saul when he was anointed by Samuel; (in both which Cases 'tis observable God would not turn out the King in possession.) I say, if one part of this Prophecy be a Promise, as no Reason can be brought to disprove it; neither can I see any, why the other part, relating to Rehoboam, should not be of the same nature, especially when in confirmation of a former Promise made to David; if we may not also add, for the clearest manifestation of the Line of the Messiah, who was to be lineally descended from David, and the Prophecies concerning him.

Not that every Prophecy of the Event confers a Right any more than it makes a thing just, which none are so wild to affirm. But once more, 'tis not fair arguing from private cases betwixt Man and Man, to the Disposal of Kingdoms.

The second Reason, for which the Dr's grounds, he'd persuade us, are unsatisfactory, is his pretending to submit to the Venerable Authority of the Convocation; and a very true Reason 'tis; but the best is, he has two or three buttresses which may help it a little. The First, only Presumptions, and such as he adds, *he hopes are not true*, which therefore I am sure we have no great Reason to believe, if he himself does not; 'tis, That the Dr. had seen Bp. Overall's Convocation-Book before, That K. James was then powerful, and Ireland, &c. But had not these Trifles been formerly answered, where there's no Proof, there needs no Refutation? His Second is, *He pretends to submit to the Authority of the Church, but 'tis plain follows his own headstrong Reason.* He submitted to his Assistance, and Guidance, and was at last concluded by what, in his Judgment, he thought agreeable to right Reason, and the Word of God; a very terrible Accusation!

But he did not follow the Church neither; that is, might not believe a Convocation is fallible; so that the Dr. must be accused both for following, and not following it; which is answer enough, besides what has been already given to those other Propositions he draws out of Bp. Overall's Book, positively charging the Dr. in one place with what is left doubtful by them, and in another what he himself leaves in the same manner.

Here he quarrels the Convocation for joining *Apocryphal Stories with Scripture*, tho they do not affirm 'em Canonical; and I thought *Apocrypha* might be read out of the Church, tho not in't; nor if they did, had the Dr. been obliged to defend 'em in so doing. But however, from what they have there advanced he concludes, That *Tyranny was submitted to; not God's Ordinance*, and the Dr. is of the same mind. As for his

His third Reason is, *The Dr's Confession their Majesties were in the full possession of the Throne as soon as the Convention and Parliament had declared for 'em; yet he did not take the Oaths as soon as this was done.* To this, what he himself produces might be Answer enough; he says not, that this only was a thorough Settlement, he brings other Arguments to prove it so; and among the rest, the *Power of the dispossessed Prince's being broken.* But there's no need on't, for tho the Dr. were now satisfied that he might have taken 'em before, it does not follow he was so then.

From the whole he observes, 1. That the Dr. was before he took the Oaths either more than a private person, or not a Subject. What if he were not a Subject, his Conference was not fully furnished; but according to the measure of his Satisfaction was the measure of his Subjection and Allegiance.

2. *The Powers be no more broken now than at the beginning.* And 3. (Mark the throwd Alteration) if 'twere as much broken at the beginning as 'tis now, that Argument of the Dr's fails. In Answer, 1. But if those two *ifs* fall, it stands, and whether K. James be more broken since the *Bayne* than before, let all Europe judge. And 2. Supposing it were not broken, that was not all the Reason the Dr. gives for his taking the Oaths. But let it hold or not hold, the Dr. is ne'r the better; for in his fourth Observation he says, *if it be not yet in full force, the Dr. and others like him are the reason.* All the 37th Page is spent in wild Reflections upon the established National Church, as if they pretended *Infallibility*; and he declares he is for tugging with them, till they are subdued upon the struggle; the same way, I suppose, that some of his temper struggled with the Bishops in the last Age, when they not only pulled their Gowns from their Ears, but their Heads from their Bodies; and should you ask this Gentleman the question, I more than doubt he would say, in both cases, *very deservedly.* So did not those *Martyre* heremissions, who suffer'd not for affronting God's Authority, but for owning their *Saviour*. His fifth Reason is, because the Dr. has not performed his Duty to K. James, either before or since his Abdication, in endeavouring to preserve him in his Throne before he went, nor restore him since he left it. But this the Dr. proves is not his Duty, and you dare not prove 'tis, unless you venture a hanging for't.

Does the Remarker think the World is bound to read the same dull things repeated a thousand times over, only to swell his Book; for how often has it been answered, That the Dr. affirms the Laws are the measure of our Obedience, and is more than once quoted by the Objector himself to the same purpose; and yet after all, he says, That the Dr. would persuade their present Majesties that they are invested with an absolute Power, without regard to right, without regard to Law.

He comes at last, after he fancies he has thrown down the Dr's Scheme of Government, and his own too; for he has proved 'em the same, to erect another Scheme, almost every Line whereof is the same with the Dr's, who, I suppose, would not refuse to subscribe to more than one in all these other particulars.

The rest to the end is only a *Banter* upon Providence and the Church-Catechism, (which can't scape, it seems, any more than the Convocation;) what looks like Argument, is, That this *Hypothesis* makes the Blind Heathen Fates only Govern the World; But far is the Dr. either from saying that or Force does it. He indeed introduces God into the World, especially in matters of this Nature, where his Providence, his Wisdom, his Mercy and Justice do visibly have appeared. But after all, does not *create* either Human Prudence or Human Law, by which in all cases, as well as this here present, he assures we are to guide our Civil Actions.

I suppose the Gentleman of *White-Priest* expects no Answer to his *Sherlock upon Sherlock*, any more than he who refin'd upon that Notion, and Printed a part of the Dr's own Book, to put a Cheat upon the World. If there needs any Answer, one will very well serve 'em both; and that a short one too: Either the Dr. has advanced no Principles in his new Book which cross those in his old, or he has; if not, there's no self-contradiction; if he has, his own short Answer in his Preface will serve till they have reply'd to't, and confuted it. *Is any Man forbidden to grow wiser, and open a careful and thorough Examination of things, to alter his mind when he sees good reason for't.*

